

FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

OCT 5 2010

DAVID J. MALAND, CLERK  
BY DEPUTY

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

-----X  
MELBA HORN AND HUSBAND, DANA HORN

CASE NO. 5:10-CV-169

Plaintiff(s),  
-against-

AFFIDAVIT OF SERVICE

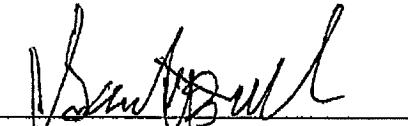
FARMERS & MERCHANTS BANK OF LONG BEACH

Defendant(s),

-----X  
STATE OF TEXAS )  
S.S.;  
COUNTY OF BOWIE )

ISAIAH BELL, being duly sworn, deposes and says that he is over the age of eighteen years, is an agent of Time Machine Network and is not a party to this action.

That on the 29<sup>TH</sup> day of September, 2010, at approximately 9:19 a.m., deponent was served a true copy of the SUMMONS & COMPLAINT, CIVIL COVER SHEET upon **FARMERS & MERCHANTS BANK** at 302 PINE AVENUE, LONG BEACH, CA 90802, by personally delivering and leaving the same with **DANIEL K. WALKER** at that address.



ISAIAH BELL  
REGISTRATION #6533  
LOS ANGELES COUNTY  
Time Machine Network  
PO Box 861057  
Los Angeles, CA 90086

**UNITED STATES DISTRICT COURT**

# **EASTERN DISTRICT OF TEXAS**

## Texarkana **DIVISION**

**SUMMONS IN A CIVIL CASE**

Melba Horn and husband, Dana Horn

v.

CASE NUMBER: 5:10-cv-169

## Farmers & Merchants Bank of Long Beach

TO: (Name and address of defendant)

Farmers & Merchants Bank of Long Beach, 302 Pine Avenue, Long Beach, California 90802, by serving Daniel K. Walker, or an officer, a managing or general agent, or any other agent authorized by appointment or by law to receive service of process

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S  
ATTORNEY (name and address)

William C. Gooding  
Gooding & Crittenden, L.L.P.  
P.O. Box 6168  
Texarkana, TX 75505-6168

an answer to the complaint which is herewith served upon you, within 21 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court with a reasonable period of time after service.

DAVID J. MALAND, CLERK

BY: David W. Adams  
Deputy Clerk

Date: 9/28/10



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## RETURN OF SERVICE

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Service of the summons and complaint was made by me : Date \_\_\_\_\_

Name of Server \_\_\_\_\_ Title \_\_\_\_\_

Check one box below to indicate appropriate method of service

Served personally upon the defendant. Place where served:  
\_\_\_\_\_  
  
 Left summons at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons was left:  
\_\_\_\_\_  
  
 Returned unexecuted:  
\_\_\_\_\_  
\_\_\_\_\_

### STATEMENT OF SERVICE FEES

Travel \_\_\_\_\_ Services \_\_\_\_\_ Total \_\_\_\_\_

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### DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.

Returned on \_\_\_\_\_ Date \_\_\_\_\_ Signature of Server \_\_\_\_\_

Address of Server \_\_\_\_\_